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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -X

TAIWO OLORODE,

Plaintiff,

-against-

Case No.

11 Civ. 6934 (GBD)

STREAMINGEDGE, INC., and TRADITION
(NORTH AMERICA) INC.,

Defendants.

- - - - -X

November 30, 2012

10:18 a.m.

DEPOSITION of TAIWO OLORODE, the Plaintiff herein,
taken pursuant to Notice, and held at the offices
of Liddle & Robinson, LLP, 800 Third Avenue, New
York, New York, before Leeann Bertorelli, a Court
Reporter and Notary Public of the State of New
York.

1 A P P E A R A N C E S :

2
3 LIDDLE & ROBINSON, LLP

4 Attorneys for the Plaintiff

5 800 Third Avenue

6 New York, New York 10022

7 BY: MATTHEW J. MCDONALD, ESQ.

8
9 REISMAN, RUBEO & McCLURE, LLP

10 Attorneys for the Defendants

11 151 Broadway

12 Hawthorne, New York 10532

13 BY: MARK I. REISMAN, ESQ.

TAIWO OLORODE

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1 IT IS HEREBY STIPULATED AND AGREED by
2 and between the attorneys for the respective
3 parties herein, that filing and sealing be and the
4 same are hereby waived.

5
6 IT IS FURTHER STIPULATED AND AGREED that
7 all objections, except as to the form of the
8 question, shall be reserved to the time of the
9 trial.

10 IT IS FURTHER STIPULATED AND AGREED that
11 the within deposition may be signed and sworn to
12 before any officer authorized to administer an
13 oath, with the same force and effect as if signed
14 and sworn to before the Court.

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TAIWO OLORODE

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TAIWO OLORODE,

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having been first duly sworn by the Notary Public

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(Leeann Bertorelli), and stating his address as

5

151 Norfolk Street, Apartment 3, New York, New

6

York 10002, was examined and testified as follows:

7

8

EXAMINATION BY

9

MR. REISMAN:

10

Q. Good morning.

11

A. Good morning, sir.

12

Q. Good morning. My name is Mark Reisman.

13

My law firm represents Streamingedge Incorporated

14

in the lawsuit which is the subject of today's

15

deposition. I'm going to ask you some questions.

16

If you don't understand anything that I say, please

17

tell me so.

18

A. Okay.

19

Q. I do not read from a script when I ask

20

questions, so I may say something that makes sense

21

to me, but it may not make sense to you. If that's

22

the case, I will apologize in advance. The

23

purpose, from my perspective, of this deposition is

24

to get information, not to trick you.

TAIWO OOLORODE

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1 A. So as I said, if you don't understand
2 what I say, please tell me so, and I'll be happy to
3 clarify the question.

4 A. Okay.

5 Q. If at any time during this deposition
6 you need to take a break, please say so, and we'll
7 obviously give you that opportunity. The only
8 thing that I ask is that you not ask for a break
9 until after you finish the last question that's
10 been asked.

11 A. Okay.

12 Q. There may come times during the
13 deposition when your attorney may object to a
14 question that I've asked for some reason that he,
15 as a lawyer, understands. If he does that, please
16 give Mr. McDonald and myself an opportunity to
17 discuss his objection, and then we'll obviously
18 figure out whether you should answer the question
19 or not.

20 A. Yes.

21 Q. Also, please make sure that you answer
22 questions using words. While in everyday
23 discussions between human beings, we sometimes nod
24 our head or make sounds that people understand to

1 mean a particular thing. Court reporters are very
2 specific. They can only record words, so please
3 answer using words.

4 A. Yes, I do.

5 Q. Okay. Also, I have a bad habit, which I
6 will also apologize in advance for doing two
7 things: Number one, speaking in a voice that other
8 people sometimes can't hear, and, number two,
9 stopping my question in mid-sentence. So if you
10 hear me ask a question like I just did and stop
11 before it sounds like I reached the end of the
12 sentence, it's probably because I haven't reached
13 the end of the sentence, and, again, I apologize.
14 If you can't hear what I'm saying, please ask me to
15 raise my voice, and I'll do that.

16 A. So meaning, in essence, wait till you
17 finish and answer?

18 Q. Yes.

19 A. Okay.

20 Q. All right. Do you understand everything
21 I've said so far?

22 A. Yes, I do.

23 Q. All right. The address that you've just
24 gave, 151 Norfolk Street in New York City, for how

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1 long have you lived there?

2 A. I've lived there for over ten years now.

3 Q. And are you married?

4 A. Yes, I am.

5 Q. What is your wife's name?

6 A. Akiko Olorode.

7 Q. Could you please spell that.

8 A. A-K-I-K-O. Last name is O-L-O-R-O-D-E.

9 Q. And do you have children?

10 A. Yes.

11 Q. What are their names and ages?

12 A. I have two children. The older boy's
13 name is Sidney Taiyo, T-A-I-Y-O. Same last name as
14 my last name, Olorode, O-L-O-R-O-D-E.

15 Q. And his age?

16 A. He's 11.

17 Q. And your second child?

18 A. Omotola, O-M-O-T-O-L-A. Last name is
19 O-L-O-R-O-D-E, and he's 9.

20 Q. Are you presently employed?

21 A. I'm sorry. Do you mind if I ask what
22 you mean by if I'm presently employed?

23 Q. Well, are you presently working outside
24 of your home?

1 A. Yes.

2 Q. And by whom are you presently employed?

3 A. By myself.

4 Q. And when you say that you're
5 self-employed, what type of work do you do?

6 A. I run an import/export business.

7 Q. Does the business have any particular
8 name?

9 A. Water Regents Global, Limited.

10 Q. Could you spell Regents, please.

11 A. R-E-G-E-N-T-S, Global Limited.

12 Q. And does the company have an office?

13 A. I don't have an office outside of my
14 home. I run out of my home.

15 Q. All right. So would it be fair to say
16 that the office of Water Regents Global, LTD is
17 based in your home at 151 Norfolk Street, New York
18 City?

19 A. That is correct.

20 Q. Is Water Regents Global, LTD a company
21 formed in New York State?

22 A. That is true, yes.

23 Q. And in what year was the company formed?

24 A. In what year? The company was formed

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1 November -- I'm sorry, either September -- I'm not
2 exactly sure exactly what month, but either
3 September or October 2011.

4 Q. And when you say that Water Regents
5 Global, LTD is an import/export business, does the
6 company import and/or export any particular types
7 of products?

8 A. I export mainly consumer goods and also
9 automobiles, used automobiles, and incidental parts
10 as well.

11 Q. When you say "parts," automobile parts?

12 A. Exactly.

13 Q. And does the company import any
14 particular types of goods?

15 A. Currently, no.

16 Q. Since the time that the company was
17 formed in September or October 2011, has it engaged
18 in any business -- any type of business activity
19 other than what you just told me about?

20 A. There's -- has it engaged, what do you
21 mean by "engaged"?

22 Q. In other words, other than exporting
23 consumer goods and used automobiles and auto parts,
24 since September or October 2011, has the company

1 been involved in the export of any goods other than
2 those that you just told me about?

3 A. No.

4 Q. Prior to September or October 2011, were
5 you employed outside of your home -- withdrawn.

6 MR. MCDONALD: Objection to form. Time
7 frame.

8 MR. REISMAN: I'll withdraw.

9 Q. I think we can agree, correct me if I'm
10 wrong, that your employment with Streamingedge
11 Incorporated ended in April 2010.

12 MR. MCDONALD: I would agree, yes.

13 MR. REISMAN: Okay.

14 Q. Mr. Olorode, do you agree with that?
15 I'm not necessarily asking you to agree why, but
16 can we agree --

17 A. Yes.

18 Q. -- that you stopped working for
19 Streamingedge at some point in April 2010?

20 A. Yes.

21 Q. All right. So since -- between
22 April 2010 when you stopped working for
23 Streamingedge and September or October 2011, when
24 you've indicated that you formed the company that

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1 I'll call for short Water Regents, were you
2 employed at all?

3 A. No.

4 Q. Are you presently a shareholder in the
5 company known as Water Regents, for short?

6 A. Yes.

7 Q. And are there any shareholders in the
8 company other than yourself?

9 A. Yes.

10 Q. And how many shareholders are there?

11 A. Myself and my wife.

12 Q. And other than yourself and your wife,
13 are there any other shareholders?

14 A. No.

15 Q. All right. Since the time that the
16 company was formed, have there been any
17 shareholders of the company other than your wife
18 and yourself?

19 A. No.

20 Q. Between approximately April 2010 and the
21 time that the company known as Water Regents, for
22 short, was formed, did you work in any capacity in
23 the import/export business?

24 A. I'm sorry. Can you repeat that

1 question, sir.

2 Q. Sure. Sometimes when we go along, if
3 you ask for a question to be repeated, I'll ask the
4 court reporter to read it back so that you can hear
5 exactly what was said, and that's what I'm going to
6 do right now.

7 MR. REISMAN: Could you read it back,
8 please.

9
10 (The requested testimony was read back.)
11

12 A. Okay. The answer is if you -- okay.
13 I'm going to answer the question in two parts, if
14 that's okay. I've engaged in what you would call
15 -- how do I say -- feasibility studies prior to
16 then in terms of looking into the possibility of
17 making a successful business or whether it's
18 something that I can get into. Prior to then, I
19 have not worked in any kind of export or import,
20 but once I decided to actually maybe start
21 registrations and do things that -- things that
22 would make -- once we started to get into going to
23 different areas to acquire merchandise and business
24 activity, that's when I would say I actually

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1 started any kind of employment activity. So if
2 you're asking between my -- the end of my
3 employment with Streamingedge and the time that I
4 started the company, I hadn't engaged in any kind
5 of business activity.

6 Q. When you say that you conducted
7 feasibility studies, was the purpose of the
8 feasibility studies to determine whether or not it
9 would make sense for you to get into the
10 import/export business?

11 A. Yes.

12 Q. And, approximately, when, if you can
13 recall, did you begin doing the feasibility studies
14 that ultimately led to the formation of this
15 company?

16 A. I can't -- it's going to be hard for me
17 to give specific dates, but I would say months,
18 several months.

19 Q. And when you say "several months," would
20 you, in your best estimate, approximate that you
21 started engaging in the feasibility studies less
22 than six months prior to forming the company known
23 as Water Regents for more than six months?

24 A. It's very hard for me to put my finger

1 on it, because there's many aspects to these that I
2 think it's -- it's very hard for me to say it's
3 less than six months or -- but I know for sure that
4 at some point I started to look into whether this
5 is possible, but probably less than six months
6 probably. But that's not necessarily precise
7 answer.

8 Q. I understand. Are there any documents
9 or things of any kind, either here or anywhere
10 else, that would help you to more accurately be
11 aware of when you began doing the feasibility
12 studies that we've been discussing?

13 A. I doubt it. I mean, it's online, going
14 to several Web sites or sometimes making physical
15 inspections of sites, talking to people. It's not
16 something I would say concise in terms of
17 recordkeeping.

18 Q. All right. Did you keep any records as
19 you were doing the feasibility studies?

20 A. No, I wasn't.

21 Q. Prior to approximately September 2011 or
22 October 2011, when Water Regents was formed, did
23 you have any experience in the export of consumer
24 goods?

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1 MR. MCDONALD: At any time?

2 MR. REISMAN: Yes.

3 A. I'm sorry. Can you -- can you explain
4 exactly what you mean by that in terms of
5 experience?

6 Q. Sure. You indicated that one of the
7 types of business that Water Regents engages in is
8 in the export of consumer goods; is that accurate?

9 A. Yes.

10 Q. What types of consumer goods in
11 particular does Water Regents export?

12 A. I would say diapers, household goods,
13 lotion, soaps. I would say many American products
14 that aren't as scarce in the market that I
15 currently face. And the automobile -- I mean, it's
16 part of the experience I had also while I was
17 working for Mr. Nweke. So I met several people
18 while I used to go to different auctions for Mr.
19 Nweke, my former boss at Streamingedge.

20 Consequently, also, there are certain -- my
21 line of education at the moment, I attend NYU
22 School of Continuing Education and Professional
23 Studies, and my major happen to be international
24 business and finance, and part of why I became

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1 convinced that something right for me was also some
2 of the classes I've taken. I've taken -- so if you
3 want to consider that experience, meaning in terms
4 of what -- in terms of knowing more about the
5 business I want to get into, if I get you
6 correctly, is through school and prior experience
7 and some people I've met before and talking to
8 them, finding out how much it is to acquire certain
9 goods, how much -- how quickly it is to dispose of
10 in certain markets, and how -- the possibility of
11 this being something successful, so I would say all
12 of this experience over the years, you know,
13 combined into the final decision to go into the
14 business.

15 Q. Okay. Now, you indicated a moment ago
16 that you're a student at NYU School of --

17 A. Continuing Education.

18 Q. Continuing Education.

19 A. And Professional Studies.

20 Q. And Professional Studies. For how long
21 have you been enrolled at NYU?

22 A. I started in probably the fall of '09 or
23 spring of 2010, either of the two. I would have to
24 --

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1 Q. All right. And are you presently a
2 full-time student at the NYU school of -- whatever
3 it is. I'm sorry. Withdrawn.

4 Are you presently a full-time student at
5 NYU?

6 A. Part time.

7 Q. And when you say "part time,"
8 approximately, how many credits or courses per
9 semester do you take or whatever other trimester or
10 semester basis?

11 A. This is my last semester at the school,
12 and I'm currently -- I just sat for the midterm
13 exam for my last class completion of this program.

14 Q. I'm sorry. What program?

15 A. I said I just sat for my last -- this is
16 the last --

17 MR. MCDONALD: Listen to the question.

18 Q. You said you sat for your last midterm?

19 A. Right. Okay. What I meant to say --
20 let me -- can you --

21 Q. Sure.

22 A. What I was saying was this is my last
23 semester in the international business and finance
24 program, which I mentioned earlier to you, sir.

1 Q. Okay.

2 A. And so this will be my last semester in
3 the program.

4 Q. Do you expect to receive some type of
5 degree at the end of this semester?

6 A. I expect to receive advanced business --
7 international business and finance with
8 specialization in emerging markets, U.S. and
9 overseas.

10 Q. Now, will this degree be a master's in
11 business administration or something else?

12 A. It would be a graduate certification.

13 Q. A graduate certification?

14 A. Yes.

15 Q. Since the time that you began attending
16 this program at NYU, have you ever attended as a
17 full-time student?

18 A. I have never attended -- let me see. I
19 have never attended as a full-time student.

20 Q. Approximately, if there is or was a
21 typical number of classes per semester or
22 trimester, as the case may be, that you took while
23 attending, what is that number?

24 A. Approximately, I would say two, but

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1 there had been times when I've taken three.

2 Q. Do you recall the time periods when you
3 took three classes per semester or trimester,
4 whatever it is?

5 A. I don't want to speculate, but I think
6 it would have to be -- okay. Either the spring of
7 -- either fall -- it would have to probably be the
8 fall of 2010. You know what, that's a guess. I
9 don't want to guess.

10 Q. I understand. Are there records or
11 documents of some type, here or anywhere else, that
12 would show the schedule of classes that you took as
13 a student at NYU?

14 A. I'm sorry. Can you reiterate or explain
15 what you mean by schedule of -- you want the
16 grades, you want --

17 Q. Well, let me start it this way: When
18 you would typically begin a semester of studies at
19 NYU, would you get a schedule of classes?

20 A. Yes.

21 Q. And would the schedule indicate the days
22 of the week when the classes were given?

23 A. Yes.

24 Q. And would the schedule also indicate the

1 beginning time of the class and the time when the
2 class would end?

3 A. Yes.

4 Q. That's the kind of information that I'm
5 looking for.

6 A. Okay.

7 Q. So do you have those kinds of records,
8 either here or somewhere else?

9 A. Yes, I do.

10 Q. I would ask that you -- and I probably
11 have to follow it up in writing with your lawyer,
12 but I would ask that you search your records to
13 show the class schedules for your course work at
14 NYU.

15
16 DOCUMENT/INFORMATION REQUESTED:

17
18 Q. Now --

19 A. No problem.

20 Q. -- do you have any -- do you or your
21 company have any particular type of certifications
22 or licenses or permits that permits the company to
23 export the types of goods that you told me about
24 earlier?

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1 A. I have a business registration with New
2 York department of -- division of corporations.

3 Q. And when you say "a business
4 registration," is that the certificate of
5 incorporation?

6 A. Yes.

7 Q. Other than a certificate of
8 incorporation, does the company have any special
9 permits through organizations -- used to be called
10 the customs and immigration service. It's called
11 ICE now, I-C-E -- to export goods or import goods
12 or anything like that?

13 A. There are licenses which is obtained
14 through the different auctions where I acquire the
15 used automobiles in the Tri-State area. There are
16 different, how do I say it, paperwork that is
17 required. And depending on what you're exporting
18 also, the kind of automobiles that you're
19 exporting, there are ones where the shipping line
20 or the shipping agent is the one that helps you to
21 do the clearance -- export clearance, they call it.
22 The paperwork is done through shipping line or the
23 shipping agent that helps --

24 Q. That kind of agent is also known as a

1 freight forwarder; does that sound familiar?

2 A. Yes.

3 Q. Okay. Is the company registered or
4 permitted to do business with any particular auto
5 auctions? In other words, are you on the list of
6 accepted --

7 A. Yes.

8 Q. And what auto auctions is that -- or
9 would that be, I should say?

10 A. IAAI.

11 Q. Do you know what that means; is that an
12 abbreviation?

13 A. Yes. And, also, I would get -- I don't
14 know exactly -- I can't give you the exact meaning
15 of the abbreviation, but I can look it up for you.

16 MR. MCDONALD: Answer the question.

17 Q. Okay.

18 A. Also -- just bear with me.

19 Q. Take your time.

20 A. Also -- I'm sorry. I just -- I just
21 have this mental block right now. Just one moment.
22 IAAI. I also have -- I have two others, which I
23 will give you now. Okay. You know what, I have
24 two others. You know what, can we move forward?

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1 Q. Why don't we do this: Why don't we
2 leave a space in the record. Your lawyer, I'm
3 sure, understands what that means, and after the
4 completion of the deposition, what I would ask is
5 that you attempt to remember the other
6 organizations or companies that you've indicated
7 your company is registered with and just provide
8 the information.

9 A. I'm sorry.

10 MR. MCDONALD: You are not to speak
11 unless there's a question pending. You can
12 only answer the questions. Okay. This is
13 not a conversation. Mr. Reisman asks
14 questions, you provide answers.

15 THE WITNESS: I was actually trying to
16 help Mr. Reisman.

17 MR. MCDONALD: That's not your job. Your
18 job is answer Mr. Reisman's questions, so
19 please.

20 Q. So why don't we do this --

21 A. Okay. I remember the --

22 MR. MCDONALD: Tai, there's no question.

23 A. IAAI stands for Insurance Auto Auction.

24 Q. Is that organization based in any

1 particular city or town or state?

2 A. The headquarters is in Chicago, but they
3 have satellite offices throughout the Tri-State --
4 actually, throughout the United States, east coast
5 and west coast. They operate out of Carteret, New
6 Jersey.

7 Q. Is your company on some type of list of
8 companies that is permitted to do business with
9 that auto auction?

10 A. Yes.

11 Q. And do you have here or somewhere else
12 some type of document that indicates that your
13 company is permitted to do business with IAAI?

14 A. Yes, I have an account.

15 Q. All right. At the conclusion of the
16 deposition, I ask that you search your records and
17 provide that documentary information to your
18 lawyer, and your lawyer will -- your lawyer and I
19 will discuss that later. You don't have to answer.

20

21 DOCUMENT/INFORMATION REQUESTED:

22

23 Q. Other than IAAI, are there any other
24 companies or organizations that your company is

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1 permitted to do business with with respect to
2 automobiles?

3 A. I think the confusion I'm having -- can
4 I just --

5 MR. MCDONALD: You have to answer the
6 question.

7 A. Mr. Reisman, the confusion I'm having is
8 that the business name and the registration in the
9 Web site, it's almost like they have certain catchy
10 names, which is ove.com, O-V-E.com.

11 Q. Okay.

12 A. But the business name itself, the legal
13 name that you sign papers on, it's different.
14 That's one of the reasons why I'm trying to
15 remember now, but there are two auctions -- I
16 remember now, the second one, Auto Exchange, and
17 the third one --

18 Q. The name of the company is Auto
19 Exchange?

20 A. Auto Exchange.

21 Q. And they're based where?

22 A. New Jersey. The township, I believe, is
23 -- I just have it put on my GPS.

24 Q. It's fine. Why don't we leave --

1 A. It's off the Garden State Parkway. It's
2 a very popular auction house.

3 Q. All right. So why don't we leave a
4 space in the record. I will request that you
5 provide to counsel the company name and address
6 information for Auto Exchange following the
7 conclusion of this deposition.

8

9 DOCUMENT/INFORMATION REQUESTED:

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11 Q. Do you have any documents, here or
12 anywhere else, which indicate that your company,
13 Water Regents, is permitted to do business with
14 this company known as Auto Exchange?

15 A. Yes. I had to sign a contract, and
16 along with the contract, there's also standard
17 operating procedures as to how you are -- which
18 establishes the relationship, more like a
19 memorandum of understanding establishing my
20 relationship as a buyer and exporter, buyer or
21 exporter. It's used it interchangeably sometimes,
22 which establish my relationship with the company.

23 Q. All right. And do you have in your
24 possession a copy of the contract between yourself

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1 and/or Water Regents, as the case may be, and this
2 Auto Exchange?

3 A. I can look it up. I'm not sure, but I
4 can -- I can -- I will do a search for it.

5 Q. Fine. At the conclusion of the
6 deposition, I would simply ask that you search your
7 records for the agreement that you just told me
8 about between Water Regents and/or yourself and
9 this company known as Auto Exchange, and that you
10 provide a copy of that agreement to your lawyer.

11

12 DOCUMENT/INFORMATION REQUESTED:

13

14 Q. Are there any other companies other than
15 the ones that you've just told me about that Water
16 Regents is authorized to do business with by a
17 certificate, a letter agreement, or something
18 similar?

19 A. No.

20 Q. Does Mrs. Olorode work in the Water
21 Regents business?

22 A. She doesn't.

23 Q. What is your title, if any, at Water
24 Regents?

1 A. Director, managing director.

2 Q. Other than yourself, does Water Regents
3 have any employees?

4 A. No.

5 Q. Since the time that your company was
6 formed, has Water Regents had any employees other
7 than yourself?

8 A. No.

9 Q. Now, in addition to the degree that
10 you've indicated that you expect to receive from
11 NYU, you also have some other educational degrees;
12 am I accurate when I say that?

13 A. That is true.

14 Q. All right. I understand, correct me if
15 I'm wrong, that you have a degree from the Columbia
16 University School of General Studies.

17 A. School of -- yes -- not general study,
18 school of continuing education, yes.

19 MR. MCDONALD: Can we pause for a second?

20 MR. REISMAN: Sure.

21 MR. MCDONALD: Off the record, if that's
22 okay.

23 MR. REISMAN: Yes.

24

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1 (An off-the-record discussion was held.)

2

3 BY MR. REISMAN:

4 Q. We had an off-the-record discussion, and
5 your counsel pointed out something which may be
6 correct. Other than Auto Exchange and IAAI --

7 A. IAAI.

8 Q. -- IAAI, are there any other companies
9 that Water Regents is authorized to do business
10 with in the auto auction/automobile business by
11 contracts, certificate, or anything else?

12 A. There is -- a third company, for some
13 reason, I think I gave you their Web site just now,
14 Manheim.

15 Q. Is that located in Manheim,
16 Pennsylvania?

17 A. No, they're located throughout the
18 country. It's a national auto auction with
19 regional offices, satellite offices throughout the
20 country. It's a nationwide auto auction company.

21 Q. And what type of agreement or
22 authorization or something similar does Water
23 Regents have with Manheim?

24 A. A buyer/exporter agreement.

1 Q. When you say "a buyer/exporter
2 agreement," can you explain what that means. In
3 other words, what does it consist of; what are you
4 authorized to do?

5 A. I'm authorized to -- I would say every
6 automobile that I purchased from the auction, the
7 authority I have there is to be able to export them
8 out of the country, not for resale in the local
9 market.

10 Q. And when you say that the authorization
11 from Manheim is to export the vehicles that you buy
12 from them out of the country, does that mean in
13 essence that Manheim requires that if you're going
14 to buy from them, you only buy from them for the
15 purpose of selling the autos that you purchased
16 outside of the United States?

17 A. That's not the only -- I would have to
18 look into -- there's a lot of fine print. I'm only
19 giving you a summarization of what I understood my
20 relationship with Manheim to be. Basically,
21 there's different designation for affiliates of
22 Manheim. The one that I had at the time, I
23 believe, is one where my purchase is meant for
24 export market.

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1 Q. All right. And when you say the -- in
2 sum and substance, the authorization that you had
3 at the time, do you still have an authorization
4 from Manheim?

5 A. I still believe my relationship with
6 them is valid.

7 Q. Do you have some type of document here
8 or somewhere else which shows in writing the nature
9 of your relationship with Manheim?

10 A. I would have to look into that.

11 Q. All right. I would ask that following
12 the completion of this deposition, you search your
13 records. And if you do have a document that
14 reflects the relationship between yourself, meaning
15 either you personally or Water Regents, and
16 Manheim, that you provide it to your attorney.

17 A. Yes, I will.

18

19 DOCUMENT/INFORMATION REQUESTED:

20

21 MR. MCDONALD: There's no question
22 pending.

23 THE WITNESS: Oh.

24 Q. Now, going back to our discussion about

1 Columbia University, you received -- I just want to
2 make sure I understand correctly -- a degree or
3 certificate from Columbia?

4 A. It is a certificate.

5 Q. And the certificate is called what?

6 A. It's called computer application and
7 technology program. That is the program that is
8 run by school of continuing education at Columbia
9 at the time. And my certificate was for management
10 information systems, specialization is network
11 administration, computer network administration and
12 design.

13 Q. When you say that your specialization
14 was computer network administration and design, can
15 you tell me, as best as you can, in layperson's
16 terms, what that means?

17 A. Only meant -- all it means is that with
18 every computer network, every company, for
19 instance, an enterprise, like she's -- they would
20 have workstations running somewhere, all the
21 workstations are connected to a mainframe
22 somewhere. In between the mainframe is also what
23 they call IDF.

24 Q. What's that?

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1 A. Intermediary data frame.

2 Q. Is that like a smaller mainframe?

3 A. I'm sorry. It's more like a mainframe
4 that is dedicated to a building. So what I'm
5 involved in is not just only the design of the
6 software related, but, also, the hardware in terms
7 of like signal a computer network infrastructure
8 from the user all the way out to telco, which is
9 the telecommunications company, so it also involves
10 network operating system installation.

11 Q. And what does that mean?

12 A. Network operating system, it's more like
13 a central server that is set up somewhere where you
14 have other workstations. And everybody -- for
15 instance, we did this organization; they're
16 connected to a server, central computer that
17 administers file sharing, data sharing, printing
18 capability which is actually centralized, so file
19 sharing also in terms of security of the
20 organization, everything is centralized within the
21 organization, user account creation, giving access,
22 retrieving access, so back and forth. More like an
23 organization setting, creating an environment where
24 everybody is able to work seamlessly while having

1 one central administration.

2 Q. So -- okay. I understand. And is part
3 of your studies at Columbia which resulted in the
4 certificate that you told me about, did you receive
5 training in the design of software?

6 A. No.

7 Q. Did you receive any type of training in
8 the repair of, for lack of a better word, glitches
9 in software that might appear from time to time?

10 MR. MCDONALD: Objection to form, but you
11 can answer, if you understand.

12 Q. Do you understand the question?

13 A. I'm sorry. Can you rephrase that.

14 Q. Sure. If there was a problem from time
15 to time with the software that would be used in
16 running a network administration or a larger type
17 of setup, I forget the name of it, but you
18 described it earlier, did you receive training at
19 Columbia in, for example, diagnosing problems with
20 software?

21 A. That is true. Yes, I did.

22 Q. And did you receive training in
23 repairing problems with software?

24 A. Yes.

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1 Q. And when you say that you received that
2 kind of training, did you receive training with any
3 particular software, either by product name or by
4 software type in general or both?

5 A. The industry language that is used in
6 most cases is, I think they will say platforms, so
7 most of the Windows platforms, I'm very familiar
8 with. Windows Server 2000, Windows NT at the time.
9 Windows -- most -- any Windows operating system
10 that's out there, either the operating system,
11 meaning the workstation level, and the network
12 operating system at server level, most
13 Windows-related -- once I received training in, so
14 -- and also Novell.

15 Q. Could you spell that?

16 A. N-O-V-E-L [sic], Novell 4.11 and 5.0.

17 Q. And what -- what are those?

18 A. Those are also network operating
19 systems.

20 Q. And did you receive that training during
21 the time that you studied at Columbia or at some
22 other time?

23 A. Both at Columbia, and also at Chubb
24 Institute, C-H-U-B-B, which was my prior education

1 prior to going to Columbia.

2 Q. At Columbia, with respect to software,
3 did you receive training to perform any other types
4 of tasks or operations other than the diagnosis and
5 fixing of software problems that you previously
6 discussed?

7 A. I'm sorry. Can you rephrase your
8 question, sir?

9 Q. Okay. Do you want me to have it read
10 back, or do you want me to -- do you not understand
11 it?

12 A. I think, please, can you repeat
13 yourself, sir.

14 Q. Sure.

15 MR. REISMAN: Sure. Can you read that
16 back.

17
18 (The requested testimony was read back.)
19

20 A. I received training in setting up
21 network infrastructure, not necessarily only
22 diagnosis. It means from the setup, from the
23 hardware point of view and also software point of
24 view. To run a network, not only need the cables

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1 where people plug in their computers, but also
2 other infrastructure that's always running in the
3 background, which I also received training. You
4 know, I would say comprehensive training on, which
5 is an add-on from my previous education at Chubb,
6 so there's also testing of software and figuring
7 out what the possible delays and bottlenecks will
8 be in an enterprise setting.

9 Q. If I can just stop you there. When you
10 say figuring out what delays and bottlenecks might
11 be in an enterprise setting, can you describe what
12 type of work that would involve.

13 A. It would involve, in most cases, most of
14 the computer networks like that deploy everywhere,
15 it's mainly used by people. So you have different
16 types of users. You have to not only understand
17 what -- okay. You have to not only understand from
18 the users' perspective; every user has different
19 habits in terms of when they get in front of the
20 computer; they make common errors. So you have to
21 be able to isolate user errors from
22 computer-related errors and also move beyond that
23 and move into the area from once you now decided
24 this is a computer glitch or error, find out what

1 the problem is, either hardware, a cable and plug
2 somewhere.

3 There's several patches which are like
4 updates that are released from time to time by
5 Microsoft or some other operating system
6 manufacturer or OEM manufacturer.

7 Q. What's OEM mean?

8 A. Original electronic manufacturer. If
9 you are now able to pinpoint if the problem is just
10 user -- you have to do an analysis of the problem,
11 find out whether it's inadequate rights given to a
12 user preventing them from being able to access
13 certain resource on the network. So if you are
14 able to really figure out the problem, then you are
15 able to now tackle it from finding out what the
16 issue is. So it's a combination of looking at a
17 problem from different angles and devising a
18 solution at the most effective and efficient time.

19 Q. Okay. And other than that type of work,
20 and other than what you've already told me about
21 with respect to your training at Columbia, did you
22 receive any other type of training in the area of
23 software?

24 A. Yes.

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1 Q. What would that be?

2 A. I went to C-H-U-B-B, the Chubb
3 Institute. It was a two-year program for computer
4 technical support and data center administration.

5 Q. Now, would it be -- would it be accurate
6 or inaccurate to say that the studies that you did
7 at Columbia were of a more advanced nature than
8 what you did at Chubb, or were they just different?

9 A. Well, you could say that it depends on
10 what -- from -- okay. You could -- okay. I'm
11 sorry. Could you repeat that, because it's like,
12 you know what, I would put it like this --

13 Q. I would be happy to repeat it if you
14 want me to.

15 A. Can you put it in another way so I can
16 understand?

17 Q. Sure. First of all, tell me what type
18 of -- what's the name of the certificate that you
19 received from the Chubb Institute.

20 A. It's a diploma, a two-year -- more like
21 an associate program.

22 Q. And would it be fair to say you received
23 that diploma prior to attending Columbia?

24 A. That is true.

1 Q. And did you receive that in
2 approximately 1998; is that accurate?

3 A. '98 or '99. I'm not sure. It's not an
4 accurate assessment. Either '99 or '98.

5 Q. Okay.

6 A. Would be in that time frame.

7 Q. So describe the type of training you
8 received at Chubb.

9 A. The type of training I received at Chubb
10 was mainly supporting computer users from a user's
11 perspective. Meaning, it's not -- it involves some
12 network operating systems also, but mainly it is
13 for -- it is dedicated towards helping users
14 virtually, either on the phone or working in an
15 organizational setting where people, you need to
16 set up their workstations. Make sure they have
17 certain access rights on the network. You need to
18 make sure that the e-mail account is set up
19 properly. You need to -- so it's mainly supporting
20 Windows NT and Windows 2000 at the time, which are
21 all -- these are all both network operating system,
22 but at the time there were also what they would
23 call job control languages like mainframe, for
24 instance, like IBM mainframes where right now

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1 they're not as popular as they were back then, only
2 maybe archaic systems use this mainframe today, but
3 it still deployed out there.

4 So my training involves supporting
5 mainframe environment, user environment, and using
6 different command languages to find out -- to get
7 resources from the network and/or to do certain
8 updates on the network.

9 Q. When you say using a command language,
10 for example, could that involve using a particular
11 type of command language to get certain types of
12 financial data from a mainframe?

13 A. It doesn't necessarily -- data is data.
14 It doesn't necessarily -- data is only designed to
15 fit an organizational need. It doesn't mean you
16 could be in a financial environment. It could mean
17 like a nonprofit organization. It is getting data
18 either to the user or collecting data for
19 management for different users, so it would not
20 matter whether -- these are systems that could
21 either way be tailored to an organization need at
22 the time.

23 So our training, my training at the time
24 was to be as knowledgeable as possible, to be able

1 to work and support from users' perspective and
2 also as mainframe administrator perspective, to be
3 able to get and collect data and disseminate it to
4 whoever requested it at the time.

5 Q. As part of the training at Chubb, did
6 you receive any training or course work or anything
7 similar in software design?

8 A. No.

9 Q. Did you receive any training in
10 troubleshooting?

11 A. Yes.

12 Q. And when you say that you did, did that
13 involve trouble -- troubleshooting potential
14 problems with software?

15 A. Yes.

16 Q. All right. And the training that you
17 received at Chubb, was that similar to or different
18 from the troubleshooting that -- the software
19 troubleshooting training that you received at
20 Columbia?

21 A. They are similar, but different. From
22 -- because Columbia program from -- is more towards
23 being a network administrator, dedicated towards
24 being a network administrator, not just

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1 administering software, but also it involves the
2 whole infrastructure, the whole network, almost
3 like having an empty building now, and putting
4 cables all in the ceiling, from dropping the cables
5 in the ceiling, from bringing it to each individual
6 cable to an intermediate data frame that would be
7 somewhere in one of the closets, to dropping it
8 down to the building and taking it out to the telco
9 company. And also providing the software that
10 allows the administrator -- network administrator
11 to be able to share different resources of the
12 organization in the most efficient way to different
13 users. And not only that, it also -- they have
14 Intranet that allows different satellite offices of
15 the organization to work as a group while not being
16 from the same location, but at the same time being
17 able to share resources of the organization
18 regardless of what part of the country you're in.

19 Q. Other than the training that you've
20 indicated you received at Chubb and at Columbia,
21 did you -- have you received any other academic
22 training, I'll call it, from a university, a
23 college, or technical institute involving computer
24 networks, computer software, or anything related to

1 the field of computer hardware or software?

2 A. I received a certificate from Bloomberg
3 Technology.

4 Q. When did you receive that?

5 A. This was -- I believe some time -- you
6 know what, I'm not exactly sure of exactly the
7 time, but I had a certificate that would give me
8 the time. It was sometime either late '08 or
9 sometime early '09. I apologize that I'm not as
10 precise at as --

11 Q. It's okay. When you -- can you describe
12 what you were trained to do that led to your
13 receipt of a Bloomberg certificate?

14 A. A few days training where -- it involves
15 -- I already -- while I was working with
16 Streamingedge at the time, part of the product that
17 I supported at the time was Bloomberg terminal and
18 Bloomberg workstations, and I felt the need to get
19 the training while I was there when they had one of
20 their reps come to the site and when I had
21 registered for the class. So it is a short
22 training, that -- it's about two or three days, and
23 they give you, not only a refresher, but at the end
24 of the course you take an exam to get the --

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1 calibrate your knowledge of Bloomberg network and
2 software and the hardware that most of the brokers
3 that I supported every day used. So I looked at it
4 as another way of enhancing my ability to serve my
5 employer well on the job.

6 MR. MCDONALD: I'm sorry. Can we just
7 take a very brief break.

8 MR. REISMAN: Go ahead.

9
10 (A recess was taken.)

11

12 BY MR. REISMAN:

13 Q. When you took the Bloomberg course, you
14 indicated you were employed by Streamingedge.

15 A. That is correct.

16 Q. And did you take the class during
17 regular business hours or at some other time?

18 A. It must have been regular business
19 hours.

20 Q. And when you took the Bloomberg course
21 during your regular business hours, did you take
22 the class on-site at the office of the
23 Streamingedge in New York City or somewhere else?

24 A. It was at Bloomberg headquarters in

1 midtown.

2 Q. Midtown Manhattan?

3 A. Yes.

4 Q. And was there a cost for taking the
5 class?

6 A. No.

7 Q. Did Bloomberg administer the course to
8 you free of charge, or, to your knowledge, did
9 someone else pay the cost of the course?

10 A. No, nobody else paid for it. I think it
11 was based on the fact that nobody has paid for it,
12 to my knowledge.

13 Q. All right. Okay. When -- did you have
14 to submit some type of application to Bloomberg to
15 receive permission to take the class?

16 A. A formal application?

17 Q. Right.

18 A. No, I don't recall. I don't recall if I
19 have done that. I must have indicated maybe
20 through e-mail or some other form. I don't recall
21 if there were applications.

22 Q. Okay. Did you ever receive anything
23 from Bloomberg in any type of written form
24 confirming that you were registered to take the

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1 class?

2 A. Yes.

3 Q. And did you receive it through the mail,
4 by e-mail, or by some other means?

5 A. By e-mail. You know what, I'm sorry.
6 I'm sorry to have to interrupt you. I'm very
7 sorry.

8 Q. It's fine.

9 A. It may either be e-mail; that's a
10 possibility it's e-mail. Also, be a combination of
11 the two or just a phone call or an e-mail.

12 Q. I understand. To your knowledge, do you
13 have any records, here or anywhere else, which
14 would assist you in recalling the way in which you
15 received confirmation from Bloomberg that you were
16 enrolled to take the class that you just told me
17 about?

18 A. I'm sorry. Can you repeat that
19 question, sir.

20 Q. Sure.

21 MR. REISMAN: Can you read it back.

22

23 (The requested testimony was read back.)

24

1 A. From -- I believe that there may have
2 been e-mails. There may have been, like I said, or
3 a phone call. As expected, most organizations
4 nowadays, most of the time, the standard
5 procedure --

6 MR. MCDONALD: Tai, you've answered the
7 question.

8 THE WITNESS: I'm sorry.

9 A. I'm sorry.

10 Q. That's all right.

11 A. There may have been e-mails.

12 Q. So what I would ask you to do then,
13 since you're not completely sure about this, if you
14 could search whatever records you have and see
15 whether there is some type of e-mail that you
16 received from Bloomberg confirming your enrollment
17 in the course, if you find something like that, I
18 would ask that you give a copy to your lawyer.

19

20 DOCUMENT/INFORMATION REQUESTED:

21

22 Q. Prior to taking the Bloomberg course,
23 did you inform anyone at Streamingedg that you
24 were going to take it?

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1 A. Yes, I did.

2 Q. And with whom did you speak?

3 A. I believe at the time Mr. Wilson, Mr.
4 Nweke, and I may have mentioned it also to Mr.
5 Hideki Okubo, H-I-D-E-K-I O-K-U-B-O.

6 Q. At the time that -- withdrawn.

7 At the time that you took the Bloomberg
8 course, what position, if any, did Mr. Okubo hold
9 at Streamingedge?

10 A. That a very hard -- we worked in the
11 same department.

12 Q. And what department was that?

13 A. System support.

14 Q. Did you and Mr. Okubo have the same
15 functions at -- in the system support department at
16 Streamingedge during the time period that included
17 you taking the Bloomberg course?

18 A. We have some functions that are similar.
19 Some that are not.

20 Q. What functions did you and Mr. Okubo
21 have during that time period that were similar?

22 A. I would say support of some of the
23 proprietary software.

24 Q. And when you say that, can you be more

1 specific?

2 A. I would give you -- we supported trading
3 platforms together, which were trading platforms of
4 different security desks and --

5 Q. Security desks within Streamingedge or
6 some other place?

7 A. Within Tradition, which is -- within
8 Tradition North America, Inc.

9 Q. And when you say that you supported
10 proprietary software, trading platforms, at
11 Tradition, were there particular desks that you,
12 Mr. Olorode, were responsible for and some certain
13 desks that Mr. Okubo was responsible for?

14 A. It was a team effort.

15 Q. Okay. And does that mean that you and
16 he, with respect to supporting the proprietary
17 software at the trading desks, performed similar
18 functions?

19 A. Yes.

20 Q. And when you say that you and he
21 performed similar functions, can you describe
22 specifically what those functions were?

23 A. With regards to some desks, certain
24 individuals within the organization were much more

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1 specialized on particular software. I will talk
2 about my area, which is the options desk. It
3 involves when we have newly hired employees who are
4 brokers within the setting, within the desk, of
5 about -- I would say the option desk is about 50
6 individuals, and I also supported lower development
7 -- lower developed currency, which is called LLDC.

8 Q. And when you say that, that means the
9 currency of countries that are not as developed as
10 the United States economically?

11 A. No, that is the industry term that is
12 used. It is more -- I would say bonds and emerging
13 markets also. Some kind of virtual money market.
14 For some reason it's an industry term, so -- but,
15 in essence, that's what it means. It just means
16 developing countries, new markets.

17 Q. Right. So getting back simply to the
18 type of work that you indicated you performed that
19 was similar to what Mr. Okubo performed, what types
20 of roles did you and he have in common with respect
21 to the software platforms at those particular desks
22 during the time period that you took the Bloomberg
23 class?

24 A. We -- the functions we had in common, if

1 you were part of the support team, which we were
2 called at the time, was any problem that would
3 impact the seamless operation or including trades
4 onto the platform by the trader -- I'm sorry, by
5 the broker; we had to get to it as quickly as
6 possible. It's mainly looking at the problem,
7 sometimes like -- I will give you an example. My
8 area where later on, which is the options desk,
9 involves setting up the user account whenever they
10 hire new broker.

11 Q. And when you say "they," you mean
12 Tradition?

13 A. I'm sorry?

14 Q. Would it be fair to say that the brokers
15 worked for Tradition, not for Streamingedge?

16 A. Yes.

17 Q. Okay. I'm sorry. Go ahead.

18 A. Whenever there's new employees hired, we
19 would create a new account and also identify from
20 the area of the desk what type of securities these
21 individuals are allowed to trade. We were to give
22 them access rights and also regulate their rights
23 in some areas where they don't have access -- it
24 has to be based on what type of securities you are

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1 trading and also -- we would also find out who your
2 counter -- who the traders, because brokers are, in
3 essence, an entity that bring two traders from
4 different banks together.

5 Q. Right.

6 A. So we would find out what their clients'
7 names were pertaining to -- and, also, what
8 securities the individual trades with his clients.

9 Q. I'm sorry. If I can interrupt briefly.

10 So in other words, Tradition, correct me if
11 I'm wrong, was, in essence, the middleman, as that
12 term is sometimes used, between large financial
13 institutions, such as banks or companies such as
14 Goldman Sachs or similar other companies that trade
15 with each other in the financial products that
16 you've been talking about?

17 A. The industry term they use is
18 inter-broker-dealer operation.

19 Q. Okay.

20 A. Yes. Tradition puts two counterparties
21 together on our trading platforms, and sometimes
22 they do it through voice trading as well, where
23 once a broker is able to ascertain an individual
24 wants to be at a certain price, and he puts it in,

1 once he gathers information, he puts it in or
2 include some other type of certification that is
3 outside of my area, puts it in.

4 So from the point that he puts this trading,
5 we have to make sure that everything is as agreed
6 upon. I'm not sure what the agreed upon service
7 level agreement is between Streamingedge and
8 Tradition, but we had to ensure that if the trade
9 -- if someone is putting a bid in and have somebody
10 hitting the bid, within a certain time or
11 millisecond, that trade has to close. And if it
12 hangs, it is considered a software error.

13 Q. If it --

14 A. If it hangs. Meaning --

15 Q. If there is a delay?

16 A. Exactly. So it's considered a software
17 error. Those are the kind of problems that I
18 attend to and Mr. Okubo attend to from time to
19 time. But I think his area -- I also support
20 Bloomberg terminal, which he may also involve
21 communication between -- because every
22 broker-dealer has a Bloomberg terminal. And this
23 Bloomberg terminal -- I'm sorry. You have a
24 Bloomberg workstation, and this workstation allows

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1 them to communicate, find out information from
2 different parties.

3 Q. I'm sorry to interrupt. When you say
4 that it allows them to find out information from
5 different parties, do you mean that it allows the
6 brokers employed by Tradition to get information
7 from various information sources?

8 A. Different financial data.

9 Q. Databases?

10 A. Databases, yes. And some of them are
11 presented in a graphical form on the screen. And I
12 would say, also, it's more like also a platform of
13 what is happening in the market on a daily basis.

14 Q. So if I can just interrupt you for one
15 second. I apologize.

16 A. Yeah, sure.

17 Q. Would it be fair to say that the
18 function during the time that you were employed by
19 Streamingedge, of the Bloomberg system, was to
20 basically act as a realtime database that would
21 allow the brokers employed by Tradition to
22 understand what was going on in the marketplace
23 with respect to the -- to the types of financial
24 products that they were brokering?

1 A. Exactly. Different -- different
2 financial markets and different financial products.
3 It also involves -- from what I did on a daily
4 basis also, if you didn't have an account on a
5 Bloomberg workstation, you couldn't see exactly and
6 -- you had to also create -- we had to create --
7 each user within the group, within Tradition, so I
8 was also responsible for setting up the accounts,
9 giving access to certain products, and, also,
10 regulating them to the desk that each user or new
11 user belongs to.

12 On occasions, there are -- biometric
13 authentication system may not be working. We may
14 have to find out what the problem is.

15 Q. What it a biometric identification
16 system?

17 A. It's a -- there's two ways. There's a
18 way on the terminal on the Bloomberg workstation
19 where you are able to look into the screen and you
20 are authenticated automatically.

21 And there is another one which is almost like
22 a credit card-sized card that gives you ability to
23 put your thumb print on it, and so these are all
24 part of what I supported while I was there and part

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1 of what I received training from Bloomberg.

2 Q. I see. So just going back for a second
3 to your completion of the course, you -- you
4 indicated prior to taking the course that -- to Ms.
5 Nweke that you planned to take it?

6 A. I believe so. I believe so, yes.

7 Q. And when you told Mr. Nweke that you
8 planned to take the Bloomberg course, do you recall
9 if he gave you permission to take it?

10 A. I believe so.

11 Q. So would it be fair to say that Mr.
12 Nweke did approve your participation in the
13 Bloomberg course prior to the time that you
14 actually took it?

15 A. I believe so.

16 Q. Now, other than the Bloomberg training
17 that you just told me about and Columbia and Chubb,
18 have you received any other training given by a
19 company such as Bloomberg or by some type of
20 educational institution such as either Columbia or
21 Chubb in the area of computer hardware or software?

22 A. Dell.

23 Q. Dell?

24 A. Yes.

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1 Q. And when did you receive training by
2 Dell?

3 A. Possibly -- I'm estimating now. I don't
4 want to estimate. Either around '05.

5 MR. MCDONALD: Tai, if you don't want to
6 estimate, then don't estimate.

7 THE WITNESS: Okay.

8 Q. All right. As you sit here today, can
9 you tell me the approximate time period when you
10 received training from Dell?

11 A. I can give you not exact date but -- I
12 can give you -- I can give you a period based on
13 where I was working at the time.

14 Q. Fine. So at the time that you received
15 training from Dell, were you employed by some
16 entity other than Streamingedge?

17 A. Yes.

18 Q. And what was the name of the company you
19 were employed by at the time you received the Dell
20 training?

21 A. DecisionOne Incorporated.

22 Q. DecisionOne --

23 A. Yes.

24 Q. -- Incorporated.

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1 And where is that company located?

2 A. I think it's headquartered somewhere in
3 Pennsylvania. I'm not sure exactly what the
4 township is or the city, but I know it's in
5 Pennsylvania. This is a company also that is --
6 it's headquartered in Pennsylvania, but they have
7 regional offices. I worked out of the New York
8 City and sometime service there, satellite client
9 in New Jersey area. I worked in the Tri-State
10 area.

11 Q. And starting approximately when and
12 ending approximately when were you employed by
13 DecisionOne Incorporated?

14 A. 2003 or 2004.

15 Q. And, approximately, when did you stop
16 working there?

17 A. '07.

18 Q. Do you recall approximately when in 2007
19 you stopped working for DecisionOne Incorporated?

20 A. I'm not sure of the exact month, but I
21 think it's probably towards the -- sometime in the
22 fall.

23 Q. Do you recall whether it was in
24 September 2007 or in some other month?

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1 A. I don't recall.

2 Q. Do you have any records, here or
3 anywhere else, that would help you remember?

4 A. Not that I know of.

5 Q. All right. Was DecisionOne Incorporated
6 the company that you were last employed by prior to
7 becoming employed by Streamingedg?

8 A. Yes.

9 Q. What were your job responsibilities at
10 DecisionOne Incorporated?

11 A. I was a field service engineer.

12 Q. And can you describe the duties that you
13 had as field service engineer.

14 A. I serviced OEM accounts, original
15 equipment manufacturer account, such as Dell and
16 Sony. Those were my primary responsibilities. So
17 it would also -- my responsibilities was mainly --
18 I was deployed in the field anywhere where there
19 was a service agreement -- where there is a
20 manufacturer warranty, within that one year time
21 frame when something -- if any of the hardware that
22 is purchased or software that is purchased from
23 either Dell or Sony was to break down, I would be
24 sent out to fix the problem and report the issue.

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1 So, basically, I was out there doing field service
2 work for DecisionOne.

3 Q. So would it be fair to say then that the
4 company known as DecisionOne Incorporated had the
5 job on behalf of companies such as Sony and Dell
6 of --

7 A. And HP. Sorry.

8 Q. Hewlett-Packard also?

9 A. Uh-huh.

10 Q. -- of fulfilling customer warranties?
11 So in other words, if a product was warranted by
12 Sony or Hewlett-Packard or by Dell, and there was a
13 problem, the customer would get in touch with, I
14 suppose, one of those three companies, who in turn
15 would send out you as an employee from DecisionOne
16 to see what, if anything, was wrong with the
17 product?

18 A. That's part of my job.

19 Q. All right. Other than that part of your
20 job, what other responsibilities did you have when
21 you worked for DecisionOne Incorporated?

22 A. There's also a portion called on-site
23 service and support. Meaning, I may be at a
24 specific place for, I would say, depending on the

1 duration of the project, to do almost same thing
2 that I did, but on a different -- it may be moving
3 or a network station, meaning moving of stations,
4 meaning from one place to another to on-site
5 support also.

6 Q. So when you say "moving a station,"
7 would that mean, for example, picking up and moving
8 from one room to another or from one building to
9 another, the computer hardware that is part of a
10 particular network?

11 A. No.

12 Q. What would it mean?

13 A. It would mean if a user -- for instance,
14 if a user is moved from this office to another
15 office in another office area, and there's a
16 possibility that in most cases either the user does
17 not have an established network port established
18 already, we would have to create one for this user.

19 Q. A network port, meaning, a way for that
20 particular user to access the network?

21 A. Exactly. So network -- we would have to
22 create a new network port and be able to give the
23 user access, plus it may also involve moving his
24 workstation from where he was before to where is he

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1 now and establishing a new connection for the user.
2 Depending on -- there are different service
3 agreements they have with different organizations
4 that would entail other things like from time to
5 time other data support-type environment. It may
6 be doing like tape backup for the network
7 department, so more like I would say -- more like
8 technology support from time to time.

9 Q. During the time that you were employed
10 by DecisionOne Incorporated, did that company do
11 business of any kind with Streamingedge?

12 A. I'm sorry. When you say "did business,"
13 can you explain a bit.

14 Q. Yes, I understand your question.
15 During the time that you were employed by
16 DecisionOne Incorporated, were you, on behalf of
17 DecisionOne, ever asked to do any work at the
18 offices of Streamingedge?

19 A. Yes.

20 Q. And can you tell me on approximately how
21 many occasions prior to the time that you stopped
22 working for DecisionOne Incorporated you actually
23 did work at Streamingedge -- on-site at
24 Streamingedge, I should say?

1 A. Quite a few times, some time.

2 Q. Do you know if it was more than ten or
3 less?

4 A. I can't say.

5 Q. All right. Was there any particular
6 type of work that you did at the Streamingedge
7 location during the time that you were employed by
8 DecisionOne?

9 A. I'm sorry. Can you come again.

10 Q. Sure.

11 MR. REISMAN: Can you read it back.

12

13 (The requested testimony was read back.)

14

15 A. Yes.

16 Q. What type of work did you do?

17 A. I did a laptop support; meaning, system
18 board replacement.

19 Q. System board replacement?

20 A. Yes.

21 Q. All right. And what specifically does
22 that mean?

23 A. Means taking apart the laptop and
24 replacing the mother board, which is what houses

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1 all the other ports like we plug in the network
2 cable into, the USB. Meaning, in essence,
3 reengineering -- replacing the systems, the
4 hardware part where everything else that is plugged
5 into that we see on the outside. So, in essence,
6 the only thing that is not replaced is just the
7 case, so whatever makes the computer work, the
8 hardware, taking it -- opening it and replacing the
9 system board.

10 Q. When you received the training that
11 you've indicated you received from the Dell
12 company, was it in the area of motherboard
13 replacement, or did it involve something else?

14 A. Anything that pertains to hardware.
15 And, usually, every manufacturer trains you from
16 their products' perspective. Meaning, they want
17 you to have a background in their product so that
18 while you have their -- as new products come out,
19 you have to constantly get up to the minute --
20 up-to-date training to make sure you're able to
21 support them.

22 Q. And did you receive any type of
23 certificate from Dell indicating, in words or
24 substance, that you had successfully completed

1 their training program?

2 A. I believe so, but -- I believe so.

3 Q. All right. Do you have a copy of that
4 certificate in your possession anywhere?

5 A. Not that I know of, but I can look into
6 it.

7 Q. I ask that you search your records, and
8 if you find it, please give it to your lawyer.

9

10 DOCUMENT/INFORMATION REQUESTED:

11

12 Q. Other than the training from companies
13 such as Dell and Bloomberg, do you have any -- did
14 you successfully complete any training programs
15 provided by any other specific companies?

16 A. Sony.

17 Q. And what type of training did you
18 receive from them?

19 A. Similar to Dell.

20 Q. Understood. And did you receive some
21 type of certificate or something indicating that
22 you had successfully completed their training
23 program -- not training program, but the training
24 that they gave you to service their products?

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1 A. I don't recall.

2 Q. All right. Did you receive training
3 from any other companies?

4 A. From Tradition, I remember.

5 Q. When you say that you received training
6 from Tradition, what type of training did you
7 receive?

8 A. I think it was financial products
9 training in -- I think it was Series 7 class, they
10 call it. Either Series 3 or Series 7 class which I
11 enrolled in, but it was not specifically given by
12 Tradition. It's a class -- it's a FINRA class
13 which you had to take off-site at some school very
14 close to my office at the time.

15 Q. When you say your office at the time,
16 was that at the headquarters of Streamingedge?

17 A. Yes. 75 Park Place, New York, New York.

18 Q. New York City. And when you say that
19 you took a FINRA course, did you receive any type
20 of certificate of completion of the course?

21 A. I was let go before -- I didn't complete
22 it.

23 Q. Can you tell me when you began the
24 training course, approximately?

1 A. I don't recall, but --

2 Q. Do you recall the approximate year?

3 A. I believe it was in 2010, I believe.

4 Q. And do you recall approximately when in
5 2010 you began the FINRA training class?

6 A. Sometime in -- at the beginning of the
7 year.

8 Q. Beginning of 2010?

9 A. Either February, or it may have been
10 late '09 -- between late '09, starting from October
11 to sometime in February. I can I look into it. I
12 don't know.

13 Q. When you -- now, what was the purpose of
14 this training class that you enrolled in with -- at
15 FINRA?

16 A. It is to familiarize myself more -- I'm
17 saying -- you said -- I'm sorry. Can you rephrase
18 that question again?

19 Q. Absolutely. You indicated that at some
20 point in time, either late in 2009 or toward the
21 beginning of 2010, you enrolled in a class given by
22 an organization called FINRA; correct?

23 A. It's a FINRA-sanctioned organization.
24 Most of the courses that are given are financial

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1 information. It's almost like information on the
2 background of the market, and the issue of the
3 markets, different products, how they work,
4 different algorithms that are used to calculate
5 different products, and pretty much giving me a
6 whole -- how do I say -- boot camp on the operation
7 of the market. But it is itself not -- it's not
8 FINRA itself, but it's a FINRA-sanctioned
9 organization; meaning, a school that deploys
10 FINRA-sanctioned courses.

11 Q. I understand. And was the purpose of
12 this course work that you began to take to get a
13 certificate or license or something that would
14 enable you to trade these products, or was the
15 purpose of the course to enable you to do something
16 else?

17 A. The purpose of course was mainly to be
18 able to understand full background of what I
19 supported on a daily basis.

20 Q. All right. Was -- was -- was this
21 course designed for people involved in the
22 information technology end of the securities
23 business?

24 A. I didn't see.

1 MR. MCDONALD: I'm going to object to the
2 form. I'm not sure -- lack of foundation.
3 I'm not sure he established he knows how it
4 was formed or why it was formed.

5 MR. REISMAN: All right.

6 Q. Prior to enrolling in this FINRA course
7 that you've been telling me about, did you have a
8 discussion with anyone from Tradition about signing
9 up to take the class?

10 A. Yes.

11 Q. And with whom did you discuss it?

12 A. I don't remember her name, but she was
13 in charge of compliance, the compliance director.

14 Q. At Tradition?

15 A. Yes. And also with Wilson, Mr. Nweke.

16 Q. And when you spoke to -- well,
17 withdrawn.

18 Did Mr. Nweke suggest to you that you
19 take this class, or did you ask him for permission
20 to take the class?

21 A. I believe so. I must have.

22 Q. I'm sorry. Which? Did you -- did Mr.
23 Nweke approach you either in person or by some
24 other means and say, in words or substance, Mr.

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1 Olorode, I'd like you to take this FINRA class, or
2 did you approach him and indicate, in words or
3 substance, that you would like to take the class?

4 A. I approached him.

5 Q. And can you tell me in approximately
6 what year you approached Mr. Nweke and told him, in
7 words or substance, that you wanted to take the
8 FINRA class?

9 A. It has to be in between '09 and '10,
10 like I told you.

11 Q. Okay.

12 A. Sometime in '09 or '10.

13 Q. Now, when you communicated to Mr. Nweke
14 your desire to take the class, did you do that
15 verbally, by e-mail, or by some other means?

16 A. I believe I did speak to him verbally
17 about it first, and, eventually, I had to also
18 update him on what the course -- details of the
19 course, and so I had to update him on details of
20 the course, and so, basically, just giving him
21 background of the course. I'm sure at some point I
22 must have sent an e-mail, but I'm not sure. But
23 I'm sure there's probably an e-mail record of it.

24 Q. All right. And when you say that

1 there's probably an e-mail record of it, to the
2 best of your recollection, does that mean that you
3 sent an e-mail to Mr. Nweke or that Mr. Nweke sent
4 an e-mail to you or something else?

5 A. Either or.

6 Q. Okay. Do you have, in your possession,
7 here or anywhere else, any type of writing which
8 would describe the nature of the course that you
9 began to take during -- at FINRA, I'm sorry, during
10 the time that you were employed by Streamingedge?

11 A. I'm sorry?

12 MR. MCDONALD: Objection. I don't think
13 he said it was at FINRA. I think you
14 misstated the testimony. I don't believe he
15 testified it was at FINRA.

16 MR. REISMAN: I'm sorry. I'll withdraw
17 and rephrase it.

18 Q. Is there, in your possession, here or
19 anywhere else, any type of writing describing what
20 the nature of the FINRA-sanctioned course that you
21 began to take?

22 A. I would have to say there's a
23 possibility that there's a record somewhere, but
24 I'm not sure.

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1 Q. Okay. So what I would ask you to do
2 following the conclusion of this deposition is to
3 search your records, and if you find some type of
4 writing which described the FINRA-sanctioned course
5 that you began to take while you were employed by
6 Streamingedge, please provide it to your lawyer.
7

8 DOCUMENT/INFORMATION REQUESTED:
9

10 Q. Was there a fee for taking this class?

11 A. Yes.

12 Q. Do you know how much it cost?

13 A. I don't recall, but I'm sure I paid.

14 Q. When you say that you paid it, did you
15 physically -- withdrawn.

16 When you say that you paid the fee, did
17 you pay it by check, by electronic banking, or by
18 some other means?

19 A. I don't recall how I paid, but that's a
20 possibility. I may have written out a check or
21 maybe given them a credit card at the time, but
22 either of the two, I must have somehow.

23 Q. All right. Do you have any writing,
24 here or anywhere else, which would indicate the way

1 in which you paid for the cost of the
2 FINRA-sanctioned class?

3 A. Do I have anything here in writing?

4 Q. Here or anywhere.

5 A. That shows how I paid?

6 Q. Right.

7 A. I don't recall.

8 Q. All right.

9 A. I don't recall.

10 Q. Okay. I'd ask that you search your
11 records, and if you find any type of writing which
12 would show the manner in which the FINRA-sanctioned
13 course was paid for, that you provide it to your
14 lawyer.

15
16 DOCUMENT/INFORMATION REQUESTED:

17
18 Q. Did you ever submit any type of voucher
19 or request to Streamingedg or to any other company
20 requesting reimbursement for the course -- for the
21 cost of this FINRA-sanctioned class?

22 A. I don't recall.

23 Q. Do you have any record in writing, here
24 or anywhere else, that would assist you in

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1 remembering?

2 A. I could look to my house -- to my
3 apartment to see it.

4 Q. I would ask that you make a search of
5 your records.

6 MR. MCDONALD: Just answer the questions.
7 Yes or no is the answer there. We can
8 discuss what we will producing, but stop
9 volunteering information. Stop volunteering
10 to do things. Just answer the question.

11 THE WITNESS: Because he's asking me
12 to --

13 MR. MCDONALD: Answer the questions,
14 please.

15 Q. I would simply ask that you make a
16 search of your records to see if there is anything
17 in your possession which would indicate whether or
18 not you asked Streamingedge or any other company to
19 reimburse you for the cost of taking the
20 FINRA-sanctioned course.

21 A. Yes, sir.

22

23 DOCUMENT/INFORMATION REQUESTED:

24

1 Q. Was the FINRA-sanctioned course that you
2 just told me about given during daytime hours, at
3 night, or some other time?

4 A. They were usually given nighttime.

5 Q. And when you say "nighttime," can you
6 tell me approximately when the class began and when
7 it ended?

8 A. I can't recall the exact hour, but it's
9 usually some time like 6:30 or 7 sometimes. It's
10 usually very late, like usually either 7. For each
11 class you get two-hour -- two-and-a-half hours
12 duration, like either 7:30 to 9 or 7 to 9. Usually
13 around that time. Usually very late.

14 Q. Approximately, how many class sessions
15 did you attend?

16 A. More than ten.

17 Q. Did you ever receive a class schedule?

18 A. Yes, at the time.

19 Q. And do you have the class schedule in
20 your possession here or anywhere else?

21 A. No.

22 Q. Do you know the name of the company or
23 organization that you indicated that was
24 FINRA-sanctioned who actually gave this class?

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1 A. The name doesn't ring bells right now.

2 Q. All right. Do you have any written
3 document, here or anywhere else, that would help
4 you remember?

5 A. My answer is no, but if I find
6 something --

7 Q. I'd ask that you make a search, and if
8 you find that type of information, please give it
9 to your lawyer.

10

11 DOCUMENT/INFORMATION REQUESTED:

12

13 Q. Other than this FINRA-sanctioned class
14 that you indicated that you took during your
15 employment at Streamingedg, have you taken any
16 other classes or courses related to the
17 software/hardware field, other than what you
18 already told me about?

19 A. None that I could recall right now.

20 Q. Okay. Do you know Wilson Nweke?

21 A. Yes.

22 Q. Can you tell me approximately when you
23 first met him?

24 A. Possibility is sometime in 2006.

1 Q. And under what circumstances did you
2 become -- did you first meet Mr. Nweke?

3 A. I was deployed to service, to do some
4 service work at 75 Park Place.

5 Q. And was that when you were employed by
6 the company known as DecisionOne Incorporated?

7 A. Correct.

8 Q. And when -- how did it come to pass that
9 you first met Mr. Nweke? I know you said you were
10 deployed to 75 Park Place, but --

11 A. When I first met him I was employed by
12 two companies at the time, NABS, Inc., North
13 American Bolt & Screw Company.

14 Q. North American Bolt & Screw?

15 A. Bolt & Screw Company, yes.

16 Q. Okay.

17 A. And that was my daytime job, and at
18 night I kept a part-time job, still on an as-needed
19 basis for DecisionOne, so that's when in '06 when I
20 met Mr. Nweke.

21 Q. So would it be fair to say that during
22 the time that you met Mr. Nweke, your job at
23 DecisionOne was a nighttime job?

24 A. Was more like an -- it wasn't nighttime.

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1 It was based on -- I became more like a consultant
2 for DecisionOne. I was no longer full-time
3 employee, so whatever work sometimes they would
4 give me, if I'm able to do it or they'll say,
5 please, we need someone, so I would do it on a
6 convenience and as-needed basis.

7 Q. Okay. So you were -- you indicated a
8 little earlier that you were employed by
9 DecisionOne, I think you said, from about 2003
10 until roughly the fall of 2007; is that accurate?

11 A. Around that area, yes.

12 Q. Okay. So when you first became employed
13 by DecisionOne, were you a full-time employee there
14 or something else?

15 A. Yes, I was full-time employee.

16 Q. And did there come a time when your
17 status as a full-time employee at DecisionOne
18 changed and you became something other than a
19 full-time employee?

20 A. Yes.

21 Q. Tell me approximately when that
22 happened.

23 A. I think it was around '06. I'm sorry.
24 '06 or '07 -- actually '07. '07.

1 Q. And, approximately, when in 2007, if you
2 remember?

3 A. Mid-'07.

4 Q. So would it be fair to say that starting
5 in approximately the middle of year 2007, your
6 employment status with DecisionOne Incorporated
7 went from being a full-time employee to a
8 consultant?

9 A. You could say that, but I think the time
10 -- remembering exactly dates, I'm having actually
11 to come up with a date -- how do I say -- unclear
12 time frame, but I know for sure that I at one point
13 was working full time, and I went to work on a
14 part-time basis for them, but giving you exact
15 dates, months, I think it's not -- I wouldn't be
16 able to give accurate answers.

17 Q. All right. So it would be fair to say
18 that as you sit here at this particular moment you
19 couldn't tell me accurately when your status as a
20 full-time employee of DecisionOne Incorporated
21 changed to that of a consultant person doing work
22 for DecisionOne Incorporated on what you call an
23 as-needed basis?

24 A. It was either ending of '06 to mid-'07,

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1 within that year period. You understand. Within
2 -- within that -- that -- ending of '06 to mid-'07,
3 around that time frame.

4 Q. I understand. Are there any records in
5 your possession anywhere that would refresh your
6 recollection as to when or approximately when your
7 status as a full-time employee at DecisionOne
8 Incorporated changed to that of a less than
9 full-time employee?

10 A. No.

11 Q. When you were employed by the North
12 American Bolt & Screw Company, what was your title
13 there?

14 A. Assistant network administrator.

15 Q. And when did you begin that job?

16 A. It was early '06.

17 Q. And when did your employment with the
18 North American Bolt & Screw Company end?

19 A. Late '07, I believe.

20 Q. And when you say mid-'07, can you be
21 more specific as to a month or a season?

22 A. Probably summer.

23 Q. And did you resign from that position,
24 or did your job end there for some other

1 reason?

2 A. For some other reason.

3 Q. And what was that?

4 A. They were -- the company was acquired by
5 another company, so offices were being relocated,
6 to my knowledge.

7 Q. Do you know what company acquired
8 American Bolt & Screw?

9 A. I think it was Ohio. Some company with
10 an Ohio name.

11 Q. All right. Did you ever receive any
12 type of writing from North American Bolt & Screw
13 which informed you, in words or substance, that
14 your position was being terminated or that you were
15 being terminated?

16 A. Not that I recall.

17 Q. Did you receive any type of written
18 communication from the company that acquired
19 American Bolt & Screw that your position was being
20 terminated or that you were being terminated?

21 A. There were interoffice communications at
22 the time with bulletins and basically I -- and I
23 think the day, maybe a week or two before, I was
24 let go, everybody that was being let go, we were

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1 informed.

2 Q. All right. And where was American Bolt
3 & Screw located?

4 A. State Street right down by Bowling
5 Green. 17 State Street.

6 Q. Do you know whether the company that
7 acquired American Bolt & Screw maintained any type
8 of office presence in the former location of North
9 American Bolt & Screw?

10 A. I don't know.

11 Q. When your job at North American Bolt &
12 Screw ended, did you receive any type of severance
13 agreement or anything like that?

14 A. I don't recall.

15 Q. Do you have any documents, here or
16 anywhere else, that would help you remember?

17 A. No.

18 Q. I would ask that you search your
19 records, and if you find anything that would
20 indicate whether or not you received any type of
21 separation agreement, severance agreements,
22 explanation of what type of pay or other type of
23 benefits you were entitled to in connection with
24 the termination of your services or the job at

1 North American Bolt & Screw, that you give it to
2 your lawyer.

3 A. Mr. Reisman, I think I will say that I
4 never did get anything. The only thing we had at
5 that time was during -- even as the transition was
6 taking place, so new management coming, they were
7 passing around interoffice bulletins to let us know
8 what's happening.

9 Q. Right.

10 A. And I think once the venture capitalist
11 organization was done, there was a full
12 understanding that they were moving, but at that
13 time, my department was one of the ones identified
14 as ones that was, in essence, be either -- you want
15 to call it diminished. So even if I had any paper
16 that was given to me at the time, I wouldn't have
17 records of it now. Once, you know -- I mean, I do
18 regular cleaning every year where some things you
19 just --

20 MR. MCDONALD: There's no question
21 pending. You have to answer the questions
22 that were asked, and the question was
23 answered.

24 THE WITNESS: I was trying to let him

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1 know that I don't have records.

2 Q. It's okay. When you said a moment ago
3 you do regular cleaning, does that mean of paper
4 documents that you have in your possession,
5 e-mails, or something else?

6 A. Maybe physical records, sometimes, you
7 know, paper documents that I feel wasn't important
8 to me anymore at the time. And I'm -- what I am
9 saying is there is a possibility, you know, that
10 even -- I'm thinking right now that.

11 MR. MCDONALD: Tai, you've answered the
12 question. You have to stick to the questions
13 that are asked.

14 THE WITNESS: He's asking me more
15 questions.

16 MR. MCDONALD: I need to talk to you
17 outside. Off the record, please.

18 THE WITNESS: I apologize.

19
20 (An off-the-record discussion was held.)

21

22 BY MR. REISMAN:

23 Q. Do you know whether you ever had in your
24 possession documents in any form pertaining to the

1 layoff from North American Bolt & Screw Company?

2 A. No.

3 Q. I'm sorry. Does that mean you never had
4 documents or you don't know?

5 A. If there were records, I wouldn't have
6 them anymore in my possession.

7 Q. All right. Now, when you say that you
8 were the network administrator at North American
9 Bolt & Screw Company, can you tell me briefly what
10 you're job responsibilities were.

11 A. I said assistant network.

12 Q. I'm sorry. Assistant network.

13 A. I assisted the main level administrator
14 and engineer of the company. The office -- the
15 company had close to seven or eight satellite
16 global -- globally located offices also. And so,
17 basically, we give -- it's identical to what I've
18 explained before. Most of what I did was
19 administer network resources, went from giving
20 access to workstations, installing new software,
21 re-imaging new machines, recording company assets
22 in what I would say physical computer assets,
23 configuring software as needed, also administering
24 what they call just-in-time inventory system for

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1 some of our vendors and sometimes clients,
2 international clients also.

3 Q. When you say configuring software as
4 necessary, what does that mean?

5 A. It means tailoring -- in layman terms,
6 it means tailoring the software, not only to my
7 employer's standard, but also tailoring to the need
8 of the user so that it fits into their day-to-day
9 daily activities, and they're able to, you know, do
10 their job without being impacted.

11 Q. When you did that type of work on behalf
12 of North American Bolt & Screw, were you able to do
13 that generally independent of supervision from the
14 person that you reported to?

15 A. In some capacity, and in some capacity,
16 no.

17 Q. So in what capacity were you able to
18 work independently?

19 A. Typically -- it's a typical
20 organizational flow chart where you have a user --
21 they always establish standards as to issue
22 reporting, either user reports an issue, generate a
23 ticket, this is what's wrong with my work-station.
24 I'm not able to load certain web pages or I'm not

1 able to access certain files which is located
2 somewhere in the cloud; meaning, a secure network
3 drive somewhere.

4 Q. Right.

5 A. When they make those kinds of reports, they
6 enter a ticket in the system, which is the initial
7 reporting system.

8 Q. Right.

9 A. Once that is generated, then it goes into
10 what they call a bucket, my area, where I'm able to
11 figure out what the issue is.

12 If it's something that I could -- based
13 on what I look at something that would impact their
14 work, or depends on how -- the level of urgency
15 also which users are able to attach to their need
16 or their resolution, so to be able to figure out
17 what exactly the problem -- issue is at that time.
18 You -- based on that or how much work you have --
19 workload I have also, I'm able to go down,
20 sometimes right away, walk over to the person's
21 workstation, change things around. And sometimes
22 it may just mean -- it may just mean, maybe there
23 are things that we have done on the network side
24 that required those -- that required those to do an

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1 update on the workstation side also.
2 So we would go in there and change things around to
3 -- what configuration means, making software
4 changes to make sure -- make software changes that
5 would return the computer to normal working
6 capacity before the issue was reported. In some
7 cases, it may not be an error. In other cases, it
8 may be a glitch. So whatever the issue is, I'm
9 able to figure that out.

10 Q. Right. And in addition to doing that
11 sort of thing independently during the time that
12 you were employed by North American Screw & Bolt,
13 were you able to do other types of software-related
14 work independent of supervision from the person
15 that you reported to?

16 A. I was able to -- it's, like I said, the
17 industry type of work that I did at that time even
18 at Streamingedge, it's usually a team effort where
19 one party hands off to the other. And -- I don't
20 recall, but one way or the other my work impacts
21 the person I report to. His work impacts what I do
22 also. We may not interact physically, but
23 virtually there are things that is configured that
24 means when I come in.

1 Another independent work I would tell you
2 I do sometimes, administrative network, Windows
3 Advanced Server, which is where we administer all
4 our different network -- you have the file server,
5 print server, different servers connecting
6 together. And we have one system administering
7 everything, create the user account, give them
8 access to certain drives in the network, delete an
9 account once an employee leaves, add new accounts,
10 make sure that a work-station has all the necessary
11 applications that we're going to be using, which is
12 not necessarily part of the operation system that
13 was assigned to them.

14 We may have Windows -- you may have -- how do I say
15 -- Windows 7, but you may not necessarily have all
16 the applications like maybe Word, Excel, you may
17 not have the total package, so everything that we
18 give to the user would be based on what the user
19 needs and what the company thinks that user in that
20 company needs. So those are the kind of
21 independent work that I would be able to do.

22 Q. All right. And would it be fair to say
23 that when you worked for Northern American Nuts &
24 Bolts Corporation, you did that type of work

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1 independently -- I believe independent of taking
2 specific orders from the person you reported to?

3 MR. MCDONALD: Objection to form. I'm
4 not -- I don't understand what you mean by
5 "that type of work." Also, it's just North
6 American Bolt & Screw.

7 THE WITNESS: Why don't we call it NABS,
8 Inc.

9 Q. So with the amendment of the question to
10 reflect NABS, Inc. Instead of North American Bolt &
11 Screw, do you understand my question?

12 A. Yes, I do.

13 Q. Can you answer it?

14 MR. MCDONALD: I'm still going to object
15 to form. I mean, I don't understand the
16 question. "That type of work," I don't think
17 that's --

18 MR. REISMAN: Well, okay.

19 Q. I think you had indicated -- tell me if
20 what I'm saying in summary form is accurate. You
21 appear to have just told me that you had the
22 ability, when you worked for NABS, Inc., to assess
23 the needs of a particular user of the system.

24 A. Yes, sir.

1 Q. And to configure the software that that
2 person used so that that person could perform the
3 functions that he or she needed to function as a
4 NABS employee.

5 MR. MCDONALD: I'm going to object. I
6 think that misstates --

7 A. That's not what I said.

8 Q. Okay. So when you would -- when you
9 would configure for a particular person, are you
10 saying that you were generally capable of figuring
11 out what type of software applications a person
12 would need to use in order to perform his or her
13 job?

14 MR. MCDONALD: Objection again.

15 MR. REISMAN: Are you telling him not to
16 answer?

17 MR. MCDONALD: No. No. If you can
18 answer, but I think it misstates the record.
19 You can answer.

20 A. I think, as I've said before, the type
21 of work that I did both at Streamingedge and at
22 NABS entails that there are specific instructions
23 that you have to take, either you're not taking
24 them on a daily basis. It could be incremental.

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1 It could be monthly that you're taking these
2 instructions. And each instruction is based on the
3 particular need and --

4 Q. I'm sorry, sir. Particular need of who
5 or what?

6 A. Who you are supporting. Particular need
7 of who you are supporting from the company's
8 perspective. So if there are certain applications
9 that they need, it may be on a weekly basis, I
10 would get weekly instructions, or maybe on a daily
11 basis. From time to time my supervisor would come
12 and tell me, listen, we have X, Y, and Z person. I
13 don't think -- this person is supposed to have X,
14 Y, and Z. Can you give them --

15 Q. X, Y, and Z, meaning a brand of
16 software?

17 A. Yeah, like an application. Can you
18 install this application to them. Can you give
19 this person access to the just-in-time inventory
20 system. Can you give this company access to such
21 and such database that we have somewhere. So it
22 doesn't mean -- so there are times where the
23 instructions are daily. There are times where they
24 are weekly. So -- but on ongoing basis, I always

1 have to take some kind of instructions somehow as
2 to how to go about. And, also, you have to
3 understand, sir, it is also based on tenure within
4 the organization, because of my supervisor -- the
5 supervisor capacity has been with the organization
6 for some time. He knows more about the background
7 of each user, each department, what their needs are
8 going to be.

9 So when you come in, they tend to tell
10 you, go here, go here, go here. So, constantly, it
11 was always a team effort and also pick up stuff
12 from my superiors.

13 Q. Now, when you -- we began to discuss
14 this earlier. You indicated that you first met Mr.
15 Nweke, I believe, when you worked for DecisionOne
16 Incorporated at the site of Streamingedge; is that
17 accurate?

18 A. That is correct.

19 Q. Okay. And when you -- at some point in
20 time, did you learn what position, if any, Mr.
21 Nweke had at Streamingedge?

22 A. I think at some point I was told there's
23 an opening. At some point, I must have been told,
24 because during some of my visits to the location --

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1 I'm not sure.

2 Q. At some point in time, did you become
3 aware that Mr. Nweke was the president of
4 Streamingedge, Inc.?

5 A. No.

6 Q. At some point in time, did you become
7 aware that Mr. Nweke was the CEO of Streamingedge,
8 Inc.?

9 A. I'm sorry. What do you mean by "at some
10 point in time"?

11 Q. Well, at some point in time ever, did
12 you become aware that he was the CEO?

13 A. Yes.

14 Q. When did you become aware?

15 A. After I was hired.

16 Q. Approximately, how soon after you were
17 hired by Streamingedge did you become aware that
18 Mr. Nweke was the CEO?

19 A. I believe my second week or my first
20 week. At the commencement of my employment with
21 the organization.

22 Q. And how was it that you became aware
23 that he was the CEO?

24 A. He called me more like a welcoming --

1 actually a welcoming -- also -- I have to also --
2 okay. Can I just come back for a minute. After my
3 interview, when there was a confirmation that I was
4 hired, I remember --

5 Q. After you were interviewed by
6 Streamingedge?

7 A. Yes, but I was not sure in terms of the
8 particular job title, but I know he was part of
9 some kind of management, a part of the management,
10 but I wasn't sure -- I didn't know his exact job
11 title.

12 Q. During the time that you worked for
13 DecisionOne, and from time to time would work at
14 the Streamingedge site, were you aware of whether
15 Mr. Nweke had any type of management position
16 within the company?

17 A. I knew about -- if anything, it was more
18 of a supervisory. I didn't know the management
19 structure of the organization at the time, so I
20 think -- I didn't know -- but I think -- the answer
21 is no.

22 Q. During the time that you were employed
23 by DecisionOne Incorporated, and from time to time
24 doing work at Streamingedge, was there any

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1 particular Streamingedge employee with whom you
2 dealt most often?

3 A. I'm sorry. Can you rephrase that
4 question, sir.

5 Q. Do you not understand it, or do you
6 simply want it repeated?

7 A. When you said "dealt with," that's why I
8 said rephrase it.

9 Q. Okay. So sounds like you don't
10 understand.

11 A. Yes.

12 Q. Was there -- during the time that you
13 were employed by DecisionOne Incorporated and doing
14 work at the Streamingedge site, was there any
15 particular Streamingedge employee with whom you
16 generally interacted with when you were on-site at
17 Streamingedge?

18 A. Either the executive assistant at the
19 time.

20 Q. Do you know that person's name?

21 A. I don't recall. And there are times --
22 I think based on the setting of the room where I
23 typically go, where I'm led to do the service work,
24 it's usually a very busy room, so wherever -- I

1 don't have -- how do I say -- how do I say -- it's
2 not like I deal with the same person every time, so
3 it's whoever -- they just tell me I go there, I'm
4 here for to do service for, here goes this machine;
5 that's typically the line of conversation.

6 Q. I understand. So would it be fair to
7 say that other than administrative assistants
8 employed by Streamingedge at the time, there wasn't
9 any other particular individual that you would see
10 most often when you would go to the Streamingedge
11 site?

12 A. Probably -- there's a gentleman named
13 Steve Cere.

14 Q. I'm sorry. His last name?

15 A. C-E-R-E.

16 Q. And what was his title or position at
17 Streamingedge?

18 A. He's a developer.

19 Q. Now, when you say "developer," does that
20 mean software developer who would create certain
21 types of software?

22 A. Yes.

23 Q. How did you first become aware that
24 there was an opening at Streamingedge?

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1 A. I believe it was through word of mouth
2 through some of the employees, either I heard it on
3 one or two occasions I've been there.

4 Q. Okay. Do you have any -- do you recall
5 the name of any particular person who told you that
6 there was an opening at Streamingedge?

7 A. I don't recall.

8 Q. Did you ever receive any type of e-mail
9 or anything else in writing informing you that
10 there was an opening at Streamingedge?

11 A. I think mainly it was all through word
12 of mouth, because I think I remember -- it was all
13 through word of mouth.

14 Q. And -- and when you say that it was
15 through word of mouth, were you told about the type
16 of position that was open?

17 A. Yes.

18 Q. And what was that type of position?

19 A. Support -- system support.

20 Q. Did there come a time when you spoke to
21 anybody about this position that you heard was
22 open?

23 A. Yes.

24 Q. And what who was that?

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1 A. No, actually, somebody spoke to me.

2 Q. And who was that?

3 A. Mr. Nweke.

4 Q. And can you tell me approximately when
5 Mr. Nweke spoke to you about the open position?

6 A. During one of my service visits.

7 Q. And can you tell me the approximate
8 month and year when Mr. Nweke spoke to you?

9 A. I don't remember, but I think it was
10 probably 2006. Probably 2006.

11 Q. All right. And can you tell me
12 approximately when in 2006 he told you that there
13 was an opening?

14 A. I think it would have to be either
15 summer or fall of '06.

16 Q. And do you recall the substance of the
17 conversation that you had with Mr. Nweke during
18 that time other than the fact that there was an
19 opening for -- I forgot the exact title you told
20 me. Was it systems analyst or support?

21 A. System support analyst.

22 Q. System support analyst.

23 A. Was there any other type of
24 conversation?

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1 Q. Right.

2 A. Maybe either related to -- questions
3 related to conversations that might have related to
4 the nature of the service work I was doing at the
5 time; meaning, asking questions and telling me this
6 is actually my machine that you were fixing,
7 something to that effect.

8 Q. All right. And when Mr. Nweke first told you
9 that there was an opening at Streamingedge for
10 system support analyst, did he tell you the type of
11 duties the job would involve?

12 A. He must have, but I think -- I don't
13 remember. I don't recall.

14 Q. All right. Do you have any written
15 documents, here or anywhere else, that would help
16 you remember whether Mr. Nweke specifically told
17 you the types of duties involved as a systems
18 support analyst during the first discussion you had
19 with him about an opening at Streamingedge?

20 A. I don't have any documents that would
21 refresh my memory. One thing I recall was I think
22 the first time they told me I was not -- the one
23 thing I recall very well at that time, I was not
24 interested in working there the first time I was

1 told.

2 Q. Did you tell that to Mr. Nweke?

3 A. I didn't feel the need to say that I
4 wasn't interested, because I just -- because
5 already I had a position elsewhere, but I think the
6 nature of what they did, also, I was curious enough
7 to ask.

8 MR. MCDONALD: You answered the question.

9 Q. Did you ask Mr. Nweke at some point in
10 time what type of job duties would be involved in
11 the job of systems support analyst at
12 Streamingedge?

13 A. I spoke to some of the -- some of these
14 individuals that I mentioned.

15 Q. Mr. Cere, C-E-R-E?

16 A. Maybe not him, but many other people.
17 At that time it's usually a very chaotic office, a
18 lot of people. So it's wherever -- even times
19 where people are at lunch, whoever was sitting next
20 to me at the time. There were individuals that I
21 met that time that I no longer -- I didn't see them
22 any longer. You have to remember most of my times
23 that were -- most of my visits there were always
24 timed. I usually had something else I had to get

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1 to afterwards. So, usually, I don't pay a lot of
2 attention to the discussion. It's usually the next
3 person because I was constantly being paged or
4 texted about the next place to go to.

5 Q. All right. But just so that I
6 understand, as you sit here today, do you have any
7 memory of the identity of the person or people with
8 whom you spoke to about the types of job duties
9 involved as a systems support analyst at
10 Streamingedge during the time that preceded your
11 employment there?

12 A. You know what, I must have. I think
13 that the closest thing I can come to is Mr. --

14 Q. Mr. Nweke?

15 A. Mr. Cere.

16 Q. Okay.

17 A. I think that's the closest thing I could
18 come to in terms of people I spoke to. There were
19 so many people at that time. There are even some
20 faces that I saw there that are no longer there
21 today -- no longer there at the time I started
22 working there.

23 Q. Did Mr. Cere ever tell you what the job
24 duties of a systems support analyst were?

1 A. No.

2 Q. Did there -- it would be fair to say
3 that you're aware that Mr. Nweke is originally from
4 Nigeria?

5 A. Eventually, yes.

6 Q. And you're also from Nigeria?

7 A. Yes, sir.

8 Q. Originally. When did you first become
9 aware that Mr. Nweke was from Nigeria?

10 A. After I met him. I think --

11 Q. And when you say after you met him, was
12 that before you became employed by Streamingedge or
13 at some other time?

14 A. Before I became -- my first time -- my
15 first conversation with him during some of his
16 service visits, it was during one of the visits to
17 the office that I may have spoken to him.

18 Q. And did you -- did the two of you, at
19 that time, discuss whether you had mutual friends
20 back in Nigeria or acquaintances or some other
21 connections related to Nigeria?

22 A. No.

23 Q. Did there come a time following the
24 first time you became aware that Mr. Nweke was from

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1 Nigeria that you had discussions of the type I just
2 asked you about?

3 A. That we had mutual friends?

4 Q. Yeah, or some type of mutual connections
5 in Nigeria.

6 A. No. I'm sorry. Can you -- I think, you
7 know what, I have to be clear on what you're asking
8 me. In terms of --

9 MR. MCDONALD: Tai, do you understand the
10 question? If not, please ask for it to be
11 rephrased.

12 Q. Do you understand my --

13 A. Can you rephrase it, sir?

14 Q. Sure. At some point before you were
15 hired by Streamingedge, did you and Mr. Nweke
16 discuss in any way the fact that you were both from
17 Nigeria originally?

18 A. Did he tell me that during -- at some
19 point, yes, he did.

20 Q. Okay. And did you tell him at some
21 point, prior to becoming employed by Streamingedge,
22 that you too were from Nigeria?

23 A. Yes.

24 Q. And did you have -- other than each of

1 you telling each other that you were from Nigeria,
2 did you have any other discussions related to -- to
3 both of you being from Nigeria?

4 A. I'm sorry. Can you rephrase that, sir.

5 Q. Sure. Again, other than saying in
6 substance, how interesting, I'm from Nigeria, so
7 are you, did you have any other discussions about
8 people that you might know in common who are from
9 Nigeria, Nigerians living in the United States,
10 Nigerian social organizations or civic
11 organizations or anything similar?

12 A. You're asking when I first met him, did
13 that kind of conversation take place?

14 Q. Yes.

15 A. When I first met him?

16 Q. Right.

17 A. No.

18 Q. At some point after that, did a
19 conversation of that type ever take place?

20 A. Of people that I know that he knows?

21 Q. Sure.

22 A. If you're asking me, there were people
23 attached to Mr. Nweke that I became acquainted with
24 later, but in terms of whether we have mutual

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1 friends -- mutual relationship or a distant
2 friendship somehow that we are somehow -- those
3 kinds of individuals that were connected somehow,
4 no.

5 Q. When you say that you at some point
6 later became acquainted with people from Nigeria
7 that Mr. Nweke knew, do you recall the names of
8 those people?

9 A. Several names.

10 Q. Who?

11 A. Mr. Nweke's uncle.

12 Q. What's his name?

13 A. Samuel Nweke.

14 Q. How did you meet Mr. Samuel Nweke?

15 A. I never met him in person, but virtually
16 I talk to him daily every other week while I was
17 employed with Streamingedge. I met Mr. Nweke's
18 nephews.

19 Q. What were their names?

20 A. Purpose Nweke.

21 Q. I'm sorry?

22 A. Purpose.

23 Q. Could you spell that?

24 A. P-U-R-P-O-S-E.

1 Q. Oh, Purpose. Anybody else?

2 A. Champion Nweke.

3 Q. Did you meet them in person?

4 A. Yes, I did. Covington Aguzie.

5 Q. Could you spell the last name, please.

6 A. C-O-V-I-N --

7 Q. No, that I understand. The other name.

8 I'm sorry.

9 A. Aguzie, A-G-U-Z-I-E, and his wife,
10 Unis --

11 Q. And who were they?

12 A. -- Aguzie. They were distant relatives
13 of Mr. Nweke. Michael Babatunde.

14 Q. Could you spell?

15 A. B-A-B-A-T-U-N-D-E. Jim, I don't recall
16 the last name now. There's endless list of name, a
17 lot of names of people. I can't continue to give
18 you a lot. There are so many names of people that
19 eventually I met through Mr. Nweke.

20 Q. Did you ever socialize with any of the
21 people that were introduced to you by Mr. Nweke?

22 MR. MCDONALD: Objection to form.

23 A. What do you mean by "socialize"?

24 Q. Did you ever go out to dinner, go to a

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1 party, go to a movie, go to a sporting event?

2 MR. MCDONALD: Still objection to form,
3 but go ahead.

4 A. When you mean "socialize," what do you
5 mean?

6 Q. Were you invited to somebody's house for
7 a meal; did you go out to a restaurant for a meal;
8 did you -- were you invited to a party; were you
9 invited to a wedding; did you go to a social event
10 or a sporting event, that sort of thing. That's a
11 partial list of what I would mean.

12 A. The answer is no. The only time I
13 recall ever being inside -- someone who is mutually
14 acquainted with Mr. Nweke was when they had -- when
15 the whole staff, office staff, went to the naming
16 ceremony, which is a traditional Nigerian thing,
17 when Mr. Nweke's wife had their second child or
18 third child, so every member of the New York team
19 went to this location. So that's the only social
20 setting that I recall.

21 Q. Okay. So did there come a time when you
22 applied for a job at Streamingedge?

23 A. Yes, I did at one point.

24 Q. And can you tell me approximately when

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1 you did that?

2 A. I suspect sometime in -- probably
3 sometime in August or -- sometime in August. It's
4 not an accurate description, but it's just -- I'm
5 giving you a rough estimate of around the time when
6 I eventually applied of '07.

7 Q. And when you say that you applied
8 roughly that time period, did you submit a written
9 application, or did you apply by some other means?

10 A. I gave my resume.

11 Q. To whom did you give your resume?

12 A. Mr. -- either to -- there were two
13 individuals that I may have given it to, which was
14 at that point Hideki Okubo, who I mentioned
15 earlier.

16 Q. Yes.

17 A. Or there's another gentleman there
18 called Srini.

19 Q. Could you spell?

20 A. S-R-I-N-I.

21 Q. And is there any particular reason why
22 you gave your resume to either Mr. Okubo or to
23 Srini?

24 A. I think at that time -- when I

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1 eventually applied at that time, I became aware
2 that he was involved in the support area, in the
3 service support.

4 Q. That would be Hideki?

5 A. Yes.

6 Q. And did you physically hand it to him,
7 or did you give it to him by some other means?

8 A. Physically.

9 Q. All right. And what happened after you
10 physically gave him your resume?

11 A. I think maybe a month or two passed, and
12 I gave up already on it, and I was called for an
13 interview.

14 Q. And who called you for the interview?

15 A. Actually, there was a voicemail that was
16 left, Srini.

17 Q. And would it be fair to say that Srini,
18 in words or substance, asked you to call to set up
19 an interview?

20 A. That is correct.

21 Q. Did you do that?

22 A. Yes, I did.

23 Q. And did you interview with somebody?

24 A. Several people.

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1 Q. Did you interview with several people
2 together or separately or some combination?

3 A. Several people together and eventually
4 Hideki separately.

5 Q. Okay. So --

6 A. It was a group interview. I was sitting
7 across, and there were about three or four IT
8 people interviewing me.

9 Q. And do you recall the names of the IT
10 people who interviewed you as part of that group
11 interview?

12 A. Hideki was present. Srini was present.
13 I think another gentleman, Alex.

14 Q. Do you know Alex's last name?

15 A. I don't recall the last name.

16 Q. Okay. Was anybody else present?

17 A. There may have been one more person. I
18 don't recall.

19 Q. Did you take any notes during the
20 interview of any kind?

21 A. Probably.

22 Q. Do you have them at the present time
23 anywhere?

24 A. No.

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1 Q. At the time -- now, was this interview
2 at the Streamingedge offices?

3 A. That is correct, on Park Place.

4 Q. And following that group interview, did
5 you have another one?

6 A. Yes.

7 Q. And did it happen on the same day or
8 some point after that?

9 A. On the same day much later. I was told
10 to wait around or come back.

11 Q. And so the second interview that you
12 had, that was with whom?

13 A. Mr. Okubo.

14 Q. And during the interview with Mr. Okubo,
15 did he tell you what your job duties would be if
16 you were hired?

17 A. I was told in the interview also.

18 Q. What were you told your job duties would
19 be?

20 A. It was mainly systems and support of --
21 systems support of company proprietary productive
22 services, which was proprietary software in the
23 areas of trading platforms -- trading platforms,
24 some middle office applications like